Department of Revenue.

OFFICE Board of Revenue

STATION Madras

His No. 3857

Dated 13-12-37

(South Kanara) - Rules of succession - Hereditary Principle - By - Basis for the Practice - Papers record

In S. Kanara the "Loreditam rules" for V.Os. are to be followed as far as possible, tho' there is no statutory obligation to do so. When was this laid down & why? The practical difficulty is that in a family following the Aliya Santana law there are any number of applicants — & of 2nd appeals! Is there some opinion of the Adv.-General that has forced this on us?

13/11

Noted JS(A)
14.11.

Village officers - South Kanara

Rules of succession - Hereditary

Principle - Observance of - Basis

for the Practice.

A. 4355/37. . . Page 1 C.F.

A.S. (L.R.)

Please see the Members'

remarks at Page 1 N.F.

Certain old records which

are required for examining the

question have been called for

from the Madras Records' office.

The file may lie over till they are

received.

Await Fin 28/11/37

M2's note thereon

to kindly lie up.

24/11/37

KBS.

23-11-37

Fin

23/11/37

A.S.(L.R.)

Please see the Members' remarks

at Page 1 N.F. The basis for the

hereditary rule of succession being

followed in South Kanara as far as known is

discussed below:

from the East India company assume
-tool of the district in 1799. In 183?
Collector proclaimed that thence-
-forward the offices of headman
& Karnam would be considered
, hereditary. In B.P. 1472 D/ 19-8-184
- Board laid down that although
llage offices in South Kanara
re not hereditary it was generall
visable to treat them as such when
proper person could be selected
last
om the family of the incumbents.
B.P. 6885 D/ 19-10-64 it was declar
at village offices in South Kanar
. as a rule hereditary but that
the case of dismissal for mis-
conduct or on failure of heirs, a
ew family should be selected.
is was partially modified in 1868
nd it was ordered that an innocent
mber of the family upon whom
dismissed officer is not likely
exercise any influence should no
e disqualified from succeeding to
e office. It was also remarked
at village offices are not here
y law in the district but that it
olicy requires that the hereditt

was laid down that when a village officer is dismissed for misconduct, a man of a different family may be appointed but that such an appointment should be made last only till the death of the dismissed officer, when the office should revert to the original family.

In 1892, the collector of South Kanara pointed out the difficulty of following the hereditary principle and suggested its abrogation but the Board in its B.P. 4194 B| 9-7-92 resolved to ~~maintain~~ retain it in a modified form i.e that the heir of the last permanent incumbent will be entitled to succeed unless he is clearly unfit to hold the office. Again in 1897 on the representation of the Collector that succession in South Kanara is governed by the Aliasanthana Law the Board ordered that in view of the special law of inheritance in

article in the matter of appointmen
village officers may continue.
its Proceedings 105 B/ 11-1-99 the
and specifically recognised
practice of registration of
wors in South Kanara.

From the above facts it is clea
that though village offices in the
tict are not hereditary by law
hereditary principle has been
gorously enforced. But the rule
le of succession followed in
actice appears to have varied
different times no fixed rule has
en followed. In 1925 the Advoca
neral was consulted on the ques
succession under the Aliyasan
nd and the rule of succession
interpreted by him has ever
ce been followed.

As regards the Member's
servation that in a family
llowing the Aliasanthana Ru
ere are any number of applic
nt of second appeals, it is
bmitted that even though the
reditary principle is followe
regard to succession to a will

non-hereditary one; whether it is, and the provisions of B. 156, para 3 are applied to it under this paragraph of the S.C. second appeals against dismissal orders of appointment to non hereditary village offices are not admissible. But as the matter is not governed by statute the Board exercise revisional jurisdiction.

KBS
30-11-37.

2.12.37

Ag 1 23

unnecessary to try to change it unless of course the hereditary principle is abolished throughout the Presidency (There is a reference from the Govt. on this last point.)

8.12.37

M. 2.

Very well. It is not necessary to pursue the matter further unless Mr Vellodi makes a specific reference

9/12

The Collector,

M. R-6.

Please send urgently the following papers in original and also any others mentioned in them as they are required for the ~~B.P. 4194~~ disposal of A. 4355/37.

B.P. 4194 Mis dated 9-7-92
B.P. 2671 L.R " 19-7-1897
B.P. 2799 Mis " 8-9-1909
" 283. " 17-8-1897
" 67 Mis " 7-1-1897
" 6858 Mis " 28-10-1890
" 5310 Mis " 25-6-1883.

N. Subramanian
Supdt 'A' 22.11.37
Board of Rev.

22-11-37.

CALL FOR RECORDS. 14756

No. 27/[illegible]/37

MADRAS RECORD OFFICE

Date 193 7

Hours 12 Minutes 55

Urgent
~~Special~~

From Sirpur A Section Board of Revenue

Records called for C. No. A 4355 of 193 7

| Department. | Number. | Date. | Subject. |
|---|---|---|---|
| 1 BP Mis | 4196 | 9.7.97 | Original & albany Mahazar |
| 2 LR | 2011 | 19.7.97 | |
| 3 Mis | 2799 | 8.9.09 | |
| 4 | 283 | 17.8.97 | |
| 5 | 67 | 7.1.97 | |
| 6 | 6855 | 28.10.97 | |
| 7 | 5310 | 25.6.1883 | |

Mail to Head Office

No. 1475 (L 1926.11.26)

Items 1–3, with back ptg., sent to ... per ... Please acknowledge receipt.

Items 4–7 Leaflets etc. — Despatched to Head Office. Acknowledgment of items 1 to 3 ...

26/11/26

Head Clerk
26.11.26

Telephone Clerk's Initials.

Mail to Post.

A Section

Board of Trade

Madras Record Office.

| Number of the file | Date of issue of the record | Number and date or description of the record. | No. and date of the current for which reqd. | To who sen |
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